IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 4758 of 2005

Between:

J.Chandraiah, S/o. Kesaiah,
R/o.guntikadipalli, Hamlet of Konarajapalli, Ontimitta Mandal, Kadapa District.

..... PETITIONER

AND

1 The RevenueDivisional Officer, Rajampet, Kadapa District.
2 The Mandal Revenue Officer, Ontimitta Mandal, Kadapa District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to declare the action of the respondents in not allotting essential commodities to the petitioner herein as F.P. Shop dealer, Konarajapalli, Ontimitta Mandal, Kadapa District, as illegal, arbitrary and unjust by issuing appropriate writ of mandamus or direction.

Counsel for the Petitioner: MR.M.V.S.SURESH KUMAR

Counsel for the Respondents: G.P. FOR CIVIL SUPPLIES

The Court at the stage of admission made the following:

THE HONOURABLE SRI JUSTICE D.S.R.VARMA

W.P.NO.4758 OF 2005

ORAL ORDER:

Heard both sides.

2. The petitioner was appointed as Fair Price Shop Dealer, on temporary basis, for a period of three months, in respect of the Fair Price Shop situate in Konarajapalli village, Ontimetta Mandal, Kadapa District, by virtue of the proceedings in Ref.No.D/208/2000, dated 31-8-2000, issued by the Revenue Divisional Officer, Rajampet. Even after the expiry of the period of such temporary authorization, no alternative arrangement has been made so far, by the respondents for distribution of essential commodities to the public.

3. The grievance of the petitioner is that eventhough the petitioner remitted the requisite amounts to the concerned authorities, for lifting the stocks of essential commodities, and eventhough the respondents did not make any regular appointment of Fair Price Shop Dealer or alternative arrangement for distribution of essential commodities to the public, the respondents are not releasing stocks of essential commodities to the petitioner from the month of March, 2005 without any reason.

4. It is not disputed before this court that the petitioner did remit the requisite amounts before the concerned authorities for release of essential commodities and that so far no alternative arrangements have been made by the respondents to distribute the essential commodities to the public in respect of the fair price shop in question.

5. In such a case, suffice it to dispose of the present writ petition with a direction to the respondents to forthwith release the stocks of essential commodities in favour of the petitioner for distribution to the public from the month of March, 2005 onwards, till a regular fair price shop dealer is appointed for the fair price shop situated at Konarajapalli village, Ontimetta Mandal, Kadapa District on regular basis, provided the authorization of the petitioner is neither suspended nor cancelled.

6. Accordingly, the writ petition is disposed of, at the stage of admission. However, there shall be no order as to costs.

D.S.R.VARMA, J

15TH MARCH, 2005

NOTE:

Issue operative portion

by wire at party's cost.

(BO)

ISN/KRK

To

1.The RevenueDivisional Officer, Rajampet, Kadapa District.
2.The Mandal Revenue Officer, Ontimitta Mandal, Kadapa District.

3. Two CCs to G.P. for Civil Supplies, High Court buildings, Hyderabad (OUT)

4. Two CD copies

5. One CC to MR.SURESH KUMAR, counsel for the petitoner.